



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/724,658	11/28/2000	Matt Crosby	DIGIP016	7713

22434 7590 07/11/2003

BEYER WEAVER & THOMAS LLP
P.O. BOX 778
BERKELEY, CA 94704-0778

EXAMINER

WANG, JIN CHENG

ART UNIT	PAPER NUMBER
----------	--------------

2672

DATE MAILED: 07/11/2003

6

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/724,658

Applicant(s)

CROSBY ET AL.

Examiner

Jin-Cheng Wang

Art Unit

2672

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-27 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-27 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on ____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 5.
- 4) ☐ Interview Summary (PTO-413) Paper No(s) ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

Art Unit: 2672

DETAILED ACTION

Notice of Change in Art Unit

1. The Group and/or Art Unit location of your application in the USPTO has changed. To aid in correlating any papers for this application, all further correspondence regarding this application should be directed to Group Art Unit 2672.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1-10, 13-15, 16-25 are rejected under 35 U.S.C. 102(e) as being anticipated by Yokomizo et al. U.S. Pat. No. 6,522,418.

4. Claim 1:

U.S. Pat. No. 6,522,418 to Yokomizo teaches a method of processing an image object included in an associated image object file at the first node so as to provide on-demand rasterization appropriate for the second output device (column 11, lines 5-20), in a distributed system having a first node coupled to a first output device and a second node coupled to a second output device (figure 9), comprising:

(a) Associating a state information file to the image object (column 5, lines 45-67; column 6, lines 1-15; column 10, lines 15-60; column 21, lines 5-30);

Art Unit: 2672

(b) Forwarding the image object and the associated state information file to the second node (e.g., column 10, lines 15-60; column 13, lines 20-28; column 16, lines 58-67; column 19, lines 1-10);

(c) Appropriately rasterizing the image object based upon the second output device as needed (figure 9; column 11, lines 5-20); and

(d) Outputting the appropriately rasterized image object at the second output device (column 6, lines 3-14; column 7, lines 40-55; column 11, lines 5-20).

Claim 2:

The claim 2 encompasses the same scope of invention as that of claim 1 except additional claimed limitation of the state information file including an edit list and the image object file including a digital negative associated with the image object. However, Yokomizo further discloses the claimed limitation of the state information file including an edit list (column 10, lines 15-61) and the image object file including a digital negative associated with the image object (column 4, lines 30-50).

Claim 3:

The claim 3 encompasses the same scope of invention as that of claim 2 except additional claimed limitation of determining if the edit list being an embedded edit list at the second node. However, Yokomizo further discloses the claimed limitation of determining if the edit list being an embedded edit list at the second node (column 9, lines 30-60; column 11, lines 5-15).

Claim 4:

Art Unit: 2672

The claim 4 encompasses the same scope of invention as that of claim 3 except additional claimed limitation of retrieving an embedded edit list element included in the embedded edit list and retrieving the digital negative if it is determined that the edit list is an embedded edit list. However, Yokomizo further discloses the claimed limitation of retrieving an embedded edit list element included in the embedded edit list and retrieving the digital negative if it is determined that the edit list is an embedded edit list (column 4, lines 30-50; column 9, lines 30-60; column 11, lines 5-15; column 18, lines 60-67).

Claim 5:

The claim 5 encompasses the same scope of invention as that of claim 3 except additional claimed limitation of locating the external edit list based upon an external edit list pointer and retrieving an external edit list element included in the external edit list if it is determined that the edit list is an external edit list.

However, Yokomizo further discloses the claimed limitation of locating the external edit list based upon an external edit list pointer and retrieving an external edit list element included in the external edit list if it is determined that the edit list is an external edit list (column 4, lines 30-50; column 9, lines 30-60; column 11, lines 5-15; column 18, lines 60-67).

Claim 6:

The claim 6 encompasses the same scope of invention as that of claim 4 except additional claimed limitation that rasterizing comprises determining a resolution appropriate to the second output device based upon the retrieved edit list element and outputting the rasterized digital image.

Art Unit: 2672

However, Yokomizo further discloses the claimed limitation that rasterizing comprises determining a resolution appropriate to the second output device based upon the retrieved edit list element and outputting the rasterized digital image (column 20, lines 3-63).

Claim 7:

The claim 7 encompasses the same scope of invention as that of claim 4 except additional claimed limitation that rasterizing comprises determining a resolution appropriate to the second output device based upon the retrieved external edit list element and outputting the rasterized digital image.

However, Yokomizo further discloses the claimed limitation that rasterizing comprises determining a resolution appropriate to the second output device based upon the retrieved external edit list element and outputting the rasterized digital image (column 20, lines 3-63).

Claim 8:

The claim 8 encompasses the same scope of invention as that of claim 4 except additional claimed limitation of the image object including a plurality of digital negatives.

However, Yokomizo further discloses the claimed limitation of the image object including a plurality of digital negatives (column 4, lines 30-50).

Claim 9:

The claim 9 encompasses the same scope of invention as that of claim 1 except additional claimed limitation of the image object file including a high-resolution image and the digital image being re-rasterized to form a lower resolution image as required by the second output device.

Art Unit: 2672

However, Yokomizo further discloses the claimed limitation of the image object file including a high resolution image and the digital image being re-rasterized to form a lower resolution image as required by the second output device (figure 9; column 11, lines 7-21).

Claim 10:

The claim 10 encompasses the same scope of invention as that of claim 9 except additional claimed limitation of the edit list including instructions describing how the digital image is to be re-rasterized.

However, Yokomizo further discloses the claimed limitation of the edit list including instructions describing how the digital image is to be re-rasterized (figure 9; column 11, lines 7-21).

Claim 13:

The claim 13 encompasses the same scope of invention as that of claim 1 except additional claimed limitation of the first output device being selected from a group comprising: a printer, a digital video camera, a digital still camera, a TV monitor, a low resolution LCD screen, TV.

However, Yokomizo further discloses the claimed limitation of the first output device being selected from a group comprising: a printer, a digital video camera, a digital still camera, a TV monitor, a low resolution LCD screen, TV (column 19, lines 1-8).

Claim 14:

The claim 14 encompasses the same scope of invention as that of claim 1 except additional claimed limitation of the second output device being selected from a group comprising:

Art Unit: 2672

a printer, a digital video camera, a digital still camera, a TV monitor, a low resolution LCD screen, TV.

However, Yokomizo further discloses the claimed limitation of the second output device being selected from a group comprising: a printer, a digital video camera, a digital still camera, a TV monitor, a low resolution LCD screen, TV (column 21, lines 15-50).

Claim 15:

The claim 15 encompasses the same scope of invention as that of claim 1 except additional claimed limitation of the first node being connected to a first input device and the second node being connected to a second input device; the first and the second input devices being each capable of modifying an associated image object.

However, Yokomizo further discloses the claimed limitation of the first node being connected to a first input device and the second node being connected to a second input device; the first and the second input devices being each capable of modifying an associated image object (figures 1-11; column 8, lines 45-55; column 4, lines 20-25).

Claims 16-25:

The claim 16, 17, 18, 19, 20, 21, 22, 23, 24, 25 encompasses the same scope of invention as that of claim 1, 2, 3, 4, 5, 6, 7, 8, 9 10 except additional claimed limitation of an apparatus. However, Yokomizo further discloses the claimed limitation of an apparatus (e.g., figures 1-11).

Claim Rejections - 35 USC § 103

Art Unit: 2672

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 11-12 and 26-27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yokomizo U.S. Patent No. 6,522,418 (hereinafter Yokomizo) in view of Phillips U.S. Patent No. 6,215,485 (hereinafter Phillips).

7. Claim 11:

(1) The claim 11 encompasses the same scope of invention as that of claim 1 except additional claimed limitation of wirelessly transmitting the image object and the associated state information file to the second node from the first node.

(2) Yokomizo teaches all the claimed limitation of claim 1 as noted in above. However, it is not clear whether Yokomizo discloses the claimed limitation of wirelessly transmitting the image object and the associated state information file to the second node from the first node.

(3) Phillips teaches the claimed limitation of wirelessly transmitting the image object and the associated state information file to the second node from the first node (Phillips column 23, lines 25-40).

(4) It would have been obvious to one of ordinary skill in the art to have incorporated the Phillips's wireless transmission technique into the Yokomizo's image processing method because Yokomizo suggests interconnection between the first node and the second node and a communication link between them through dial-up lines such as ISDN (column 5, lines 15-25)

Art Unit: 2672

and therefore suggesting an obvious modification because a dial-up line between a client and a server can be achieved by a wireless transmission.

(5) One having the ordinary skill in the art would have been motivated to do this because it would have provided an image modification via wireless communication link such that the proxy image can be modified, scripted and the script can be sent via communication link where it may be transferred to the second for application to the original high-resolution digital image file.

Claim 12:

The claim 12 encompasses the same scope of invention as that of claim 11 except additional claimed limitation of the first node being coupled to the second node by way of a server node that directs the transmitting.

However, Yokomizo further discloses the claimed limitation of the first node being coupled to the second node by way of a server node that directs the transmitting (figure 9; column 21, lines 10-30).

Claims 26-27:

The claim 26, 27 encompasses the same scope of invention as that of claim 11, 12 except additional claimed limitation of an apparatus. However, Yokomizo further discloses the claimed limitation of an apparatus (figures 1-11).

Conclusion

Art Unit: 2672


8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jin-Cheng Wang whose telephone number is (703) 605-1213.

The examiner can normally be reached on 8:00 AM - 4:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mike Razavi can be reached on (703) 305-4713. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 308-6606 for regular communications and (703) 308-6606 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 395-3900.

jcw
July 3, 2003



MICHAEL RAZAVI
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600